

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SCIELE PHARMA, INC., et al.,

Plaintiffs,

V.

LUPIN LTD., et al.,

Defendants.

C.A. No. 09-037 (RBK) (JS)

(CONSOLIDATED)

SHIONOGI INC., et al.,

Plaintiffs,

V.

MYLAN INC., et al.,

Defendants.

C.A. NO. 10-135 (RBK) (JS)

**[PROPOSED] ORDER GRANTING THE LUPIN DEFENDANTS’  
MOTION TO STAY OR MODIFY ENFORCEMENT  
OF THE COURT’S PRELIMINARY INJUNCTION ORDER**

The Court having considered Defendants Lupin Ltd. and Lupin Pharmaceuticals USA (collectively “Lupin”) Motion for to Stay (the “Motion to Stay”) or Modify Enforcement of the Court’s Preliminary Injunction Order (the “Motion to Modify”), and good cause being shown therefore,

It is hereby ORDERED, this \_\_\_\_ day of \_\_\_\_\_, 201\_\_, that

□ the Motion to Stay is GRANTED and the Court's December 6, 2011 Preliminary Injunction Order (D.I. 280) is hereby STAYED pending resolution of their appeal to the Federal Circuit Court of Appeals.

□ the Motion to Modify is GRANTED and the Court's December 6, 2011 Preliminary Injunction Order (D.I. 280) is hereby MODIFIED so as to provide that it is automatically stayed if Watson Laboratories begins selling a generic version of Formament® pending resolution of their appeal to the Federal Circuit Court of Appeals.

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The Honorable Robert B. Kugler  
United States District Judge